G. R. S. 58]

Previous references.

File No. 6 of 1902-03

1902-03.

Serial Nos. 1-9

(Paud J)

Later references.

P-C-1

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—9.

Major Part B for November 02.

SUBJECT.

Direct Communications to all the District Magistrates by the D. G. of Prs.

S. 1. 703/988 45. 14-7-02.

From The Dist. Magistrate. Kolar Dist.

—Forwards proceedings and a circular issued by the D.G. of Prisons and requests information as to what officer is authorised to issue proceedings and Circulars.

Cf

Sl. 2. C.O. 24-9-02. To Col. P. M. Benson.

Requests to state how the form of issuing proceedings & Circulars by the D.G. of Prs came into existence.

GPB—3,500—21-7-14

Sl. 3. D.O. 26-9-02

From

Col. P. H. Benson.

States that the format issuing Proceedings has been in Force for years together etc and so the Majistrate should be told to take No objections.

Sl. 4. D.O. 27-9-02. From

Mr. C. Srinivasangar.

States that Govt do not concur with the objection of the Comm^r and Dist^r Majistrate etc.

Sl. 5. D.O. 27-9-02. From

Mr. Nanjundayya.

States that the issued proceedings ~~Dist^t~~ the D. of Prisons to Dist^r Majistrate is objectionable.

Sl. 6. D.O 30-9-02. From

Mr. Nanjundayya.

Requests information regarding what the Madras Govt does in the matter.

Sl. 7. D.O. 9-10-02.

From

The D. G. of Prs.

Pottakammud.

States that it is the practice to issue direct Communications to all Dist^t Majistrates in letter ~~form~~.

Sl. 8. 4677/1557 1061/1 28/29-10-02.

From The D. G. of Prs.

Forwards in original the D.O. stated in Sl. 7 to the Secy to the Govt of Mysore.

Sl. 9. 8419/1687 15-11-02. To The I. G. of Prs. The Dist Mgts

Indexed K. Ranganna

States that the direct Comm^s should be made in letter form

OFFICE OF THE DEWAN OF MYSORE

REVENUE AND GENERAL, DEPARTMENTS.

SECTION

FILE No.

SERIAL No.

Short Office Note.

One form may be used for more than one letter of the same file as long as there is space. The Office Note should be in black ink. Write only on side of this form.

* No. and date of letter, from whom, catch words to denote nature of Subject should be stated, in red ink.

***Subject** "Proceedings" and "Circulars"

Letter No. 45 dated 14th July 1902 from the District Magistrate, Tumkur District requesting to be informed whether the Inspr General of Prisons is authorized to issue — to Dist: Magistrates.

Note

Subt for orders. There seems to be no references on the ~~slip~~ subject. (vide Slip attached).

The "Proceedings" form (culminat SW 25/8/02 in an "order") adopted by the I.G. of Pris seems objectionable, as being an unauthorised a form ~~received from~~ by Govt. There seems nothing, on the other hand, to be objected to in the Govt issuing instructions to Dist Magstes by way of "Circulars."

25-8-02

The Chief Court issues Proceedings. I believe Collectors issue Proceedings to Tahsildars &c in Madras. But still between the I.G. & the Dist Magste the form seems objectionable

& timable.

Draft process on the above view & submit for orders to the Dewan through the 2nd Councillor Please.

Submitted to 2nd Cr with a draft

The District Magistrate has said more than was really necessary. The fact remains however that the form & language of the 2nd communication is unobjectionable and I recommend - to the draft put up by the Secretariat & prefer the general one I have drafted -

9-9-02

Submitted to Secy Rd 9/9/02

I am somewhat doubtful of the necessity of [illegible] inserting the prohi-

bition of the word submit
It does not always (though
generally it does) import
an arrogation or acknowledge-
ment of superior authority.
When the head of a Dep^t asks
(e.g.) a Dy Comm^r to submit
(instead of to send or forward) some
thing to himself, it often shows
that he is wanting in a sense
of humour, and ~~that~~ does
not see that respecting others
is probably a better method
of ~~being respected~~ obtaining
a respectful treatment, than
~~Reading~~ making a parade of
his superior position. But
would it not be too elementary
a matter to mention in a G.O.?

Is the order meant to apply to
the Chief Court also? I presume
not.

Submitted to the Dewan

through the 2nd Councillors

126
21-9-02

19/9/1902

Thanks. On further consideration I agree that no general order is called for. A note in this case, something like that I have made in pencil in the margin of the office draft, seems sufficient.

C.

20/9/02

20/9

Subd to Secretary

20/9/02

6157

RD 20.9.02

7321

Here's a similar complaint in another D.R.M. in connection with another matter. Should this case be noted. And if so can you do so to note how this form came in use etc & draw out what steps have been taken with that it may be a record for the form of a letter. When I receive information, can I issue a general order in the case

21. IX. 02

Draft D.O. subd SK 21/9/02

S No: 6

The 2nd Councillor's D.O. letter.

Col Benson's reply to a D.O. enquiry is submitted herewith. Though Senior Officers did not move in the matter, I have reasons to know that they feel it all the same. Would it not be better to file the correspondence than to sanction the proceedure?

27/9

The Dewan
through the 2nd
Councillor.

J. 34
Rd 27-9-02

What is the Madras practice? Col Benson, if written to demi officially would perhaps be able to ascertain it for us.

29/9/02

29/9

S No 9

The I. G. of Prisons forwards a D.O. letter from the Insp.r Genl of Prisons, Madras Presidency. He states that ~~practi~~ it is the practice there to issue all direct communications to District Magistrates in

letter from. When however District Magistrates are only indirectly concerned in the subject-matter of any order of Proceedings issuing from his office, a copy of such order of Proceedings is furnished to them under an endorsement. In short, Proceedings - as such - are never issued to District Magistrates.

For orders to

4-11-02

SW 4-11-02

the Decean through the 2nd Councillor

7/11/1902

7167
RD 11.11.02

and write

5-11-02

p.63. 7-11-02 Sallanpur

An order should be as follows (i.e. in terms of the Madras Govt letter to the Decean) should all that is required; -

"All direct communications to District Magistrates should be in letter form. When however District Magistrates are only indirectly concerned in the subject matter of any Order or Proceedings issuing from the office of the 2nd Govt Pleader a copy of such order or Proceedings may be furnished to them under an Endorsement - Proceedings as such should not be issued to District Magistrates by the 2nd Govt Pleader."

The order may be printed & copies sent to the 2nd Govt & all District Magistrates - The Madras Govt Pleader has nothing to be said against it - & will no doubt, when we shall not follow it -

11/11

The proposed order is copied separately in
the usual form of a draft.

11-14-42

✓ 2/46

OFFICE OF THE
Regd No 703.
18 JUL 1902
288.

(1)

1902/3

SECTION Paud 9
FILE No. 64 1902-03.
SER'AL No. 1

FROM The District Magistrate
Tumkur District

To The Secretary to the Government of Mysore,
Genl & Rev: Departments
Bangalore

Dated 14th July 1902

Despatched

Received

General No. 45
No.

Enclosure No. 2.

Forwarding a "Proceedings & a "Circular" issued by the Inspr Genl of Prisons" ~~to~~ & requesting to be informed whether that Officer is authorized to issue Progs" & "Circulars"

J.
18/7/02

No 45/2

2

Deputy Commissioner's Office,
Tumkur District

Tumkur 11th/17 July 1902

From.

K.S. Doraswami Iyer Esqr
District Magistrate,
Tumkur District

To.

L Anantasami Rao Esqr B.A.
Offg Secretary to the Government of Mysore,
General and Revenue Departments
Bangalore

Sir

I have the honor to send herewith a "Proceedings" (in original and a "Circular" received from the Inspector General of Prisons. My object in sending them is to know if they are correct in form.

2. A District Magistrate receives "Proceedings" from the Government and from the Chief Court, and is himself entitled to issue "Proceedings." When the Inspector General of Police, the Inspector General of Education, the Excise Commissioner, the Comptroller, the Superintendent of Revenue Survey, the Chief Engineer and the Senior Surgeon do not communicate with other Officers by "Proceedings," the Inspector General of Prisons sending "Proceedings" to a District Magistrate, seems rather anomalous.

3. Coming now to the Circular, I beg to state that in the way it stands, it does not seem to be a very suitable form of communication to a District Magistrate, though however there can be nothing to be said against it as applied to the regular officers of the Prison

Department

Department. In my humble opinion, this "Circular is an unintended result of the practice of issuing "Proceedings

4. I am informed that the practice in question is long existent. I am not able to trace out when and how it began. It was in vogue when Chief Judges held the office of the Inspector General of Prisons, but whether it was so in the days of the Judicial Commissioner also I do not know. But a Chief Judge as Inspector General of Prisons cannot import into the latter office, the privilege of the former, the two being quite distinct, and this view gathers force from the fact that the Chief Judge drew Special allowances for holding the office of Inspector General of Prisons, which they would not have done had they or the Government considered that the Inspectorship of Prisons was not something quite outside the duties pertaining to the office of Chief Judge. And so it is that I am led to think that there might be a Government Order to authorize the Inspector Generals' "Proceedings" to a District Magistrate. But none is traceable in my office.

I beg you may be so good as to favor me

me with a Copy of the order if there is one:

I have the honor to be

Sir,

Your most obedient Servant

[signature]

Chief Secretary Commissioners

Lifs

Office of the Inspector General of Prisons in Mysore.

Dated Bangalore, 23rd June 1902.

CIRCULAR NO. 621 31

The Superintendents of Jails and District Magistrates of all Districts are requested to submit on or before the 10th proximo precisely a statement showing the particulars as per margin to enable this Office to prepare and submit to Government the usual Brief Report on the working of the Prisons Department during the Official year 1901-1902.

Lt.-Colonel I.M.S.,
Inspector General of Prisons

SECTION
FILE No.
SERIAL No.

	Convicts			Imbeciles			Civils			Juveniles			Totals			Total expenditure on Establishment		Total expenditure on Diet &c.	
	Rr	Ss	Tr	Rr	Ss	Tr	Rr	Ss	Tr	Rr	Ss	Tr	Rr	Ss	Tr	Rs	as	Rs	as
Remained on 1.6.02																			
Admitted during 1902																			
Total																			
Discharged from all causes																			
Remaining on 30.6.02																			
Daily average																			

X

P.C.C.

To

The District Magistrate
Tumkur

Just to do me

I think a circular would be sent to District Magistrates although it may not be necessary from him in regard to Inspection of Jails. Refer the matter to Govt with the requisition in Circular letter and the reply thereto

A docket or letter will be required

28.6.02

9 of 7 Mysore 644
28/6/02
Circulate

3

is 5 or 6 th 8

Mysore 936 no. 49
12/7/02

Total 1901-1902.

1907.02.J.R.No.835 6

Encl to R.1.

PROCEEDINGS OF THE INSPECTOR GENERAL OF PRISONS IN MYSORE.

Read:-

Correspondence ending with docket No.1273/J dated 2nd June 1902, from the District Magistrate, Tumkur, forwarding for sanction a fresh Indent for khaki serge and drill ~~clothing required~~ for the guarding establishment of the District Lock-up at Tumkur.

13-6-02

----------&&&&&&---------

Order thereon No.576-78/J Dated Bangalore, 10th June 1902.

Sanctioned with the exception of boots and sandals which should be purchased by the Guarding establishment themselves at their own cost.

2. The cost of the clothing will be met from the provision made under the head "Prisoners' clothing and furniture to Lock-ups" in the Budget for the current official year.

3. The Superintendent Bangalore Central Jail, is requested to supply the required clothing direct to the District Magistrate, Tumkur, as per sanctioned indent, which will be returned by the former officer to this Office after compliance

Lt.-Colonel, I.M.S.
Inspector General of Prisons.

To

The District Magistrate, Tumkur.

" Superintendent Bangalore Central Jail with sanctioned indent.

" Comptroller in Mysore.

T.C.G.

7

Draft D.O (4)

SECTION Para 7
FILE No. 4 4 1902-03
SERIAL No.

My dear ~~Sir~~ Colonel,

I am desired to invite a reference to your Proceedings No. 576-78 dated 10th June 1902 and to point out by the D.L.G. that objection is taken to ~~such~~ the form in which it is issued in Free Courts & that ~~it~~ may be a form and that ~~it~~ may be ~~altered~~ made to the form of ~~it~~ letters. I am to request that you will be so good as to ~~submit a report as to~~ state how & issuing Proceedings & the L.G. Passes this form came into existence.

Yours Sincerely.

H Lee 24/9
Lee

Do. sent 25/9/02

To Phi 24/9/02

Col: P. H. Benson

Typed

SECTION Para 9
GOVERNMENT OF MYSORE
FILE No. 6 of 1902-03

Sept. 26 1902

Dear Mr

Yours D.O to hand. Thanks. Just gone over Proceedings No 576-78 J. dated 20th June 1902. to the address of the 1st Magistrate Tarikere which you say he takes objection to the form in which it is issued. The form of issuing Proceedings has obtained for years, as far back as I can remember but owing to new interpretation of mine - which I have been trying to introduce from time to time - I am of opinion that in the first instance of any one having taken objection to the form in this instance you will observe that the objection comes from a comparatively young officer, a. whom. mainly on the ground of his being a 1st Magistrate - I am of opinion that all the 1st Magistrate in the most careless;

9

[illegible]

[illegible] back up. returns. Comes in batches of four or three months at a time, often possibly because I work on Sundays. Calcutta to Madras Suburban returns. Goes regularly from month to month batches What he has taken objection Personally I think he should be told to look after his work. or not cause needless objections [illegible]

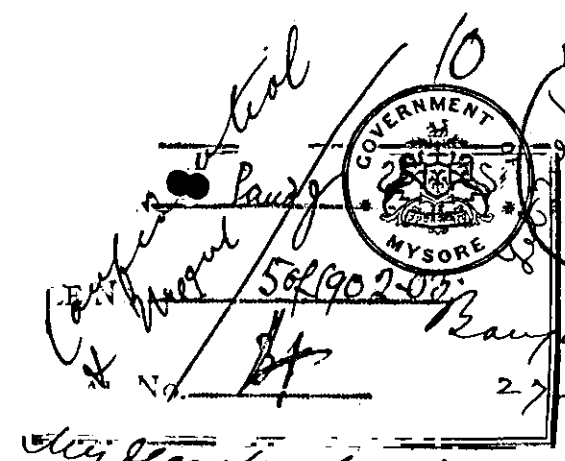
Believe me

Yours sincerely

R. J. Ransom

To V. Narasimhayya. M.L.

Stenographer



Bangalore
27-9-02

My dear Mr Narayandas 98

If that order that was drafted the other day be the form of communication to the Town and District Magistrates from the Dept of Prisons has yet come, please look it up and substitute for it the following with the Dewan's kind approval:

"Good-conduct convicts with the City Town & District Magts - They require reason

why there should now be
ordered a departure from
the forms which have
long been in use and which
imply no inferiority or discourtesy
or disrespect whatever. I
have just had before
me another Protest
from the Doranam
Eyer in the Forest Dept
He wants officially to
say that his status &
precedence would be
injured if he were to
receive & reply to Dor
from the Superintendent
Dept. with whom

therefore he declines to
hold any correspondence - This
is extreme impertinence
but the least part. I
have recorded & sent
to the Forest Dept
for submission to the
Govt my opinion
that the objection
taken is inadmissible -
The allegations
therein have never
had anything about
the alleged informality
of Proceedings of inferior
from our Heads of
Depts, or of Dor from

our Appll Secretaries - Why
then should we offer Dy
Comm to do it? I would
rather not - Do think
the enclosed Enclosure should
be sent in with them
and very little apparently -
Yours sincerely -
C Flemming

PS

By all means let us know
Dy Comm all the
consideration & respect
due to them - But-
let us not encourage
pretentiousness or mis-
understanding of contract
on their part -
C

14

(76)

GOVERNMENT OF MYSORE

SECTION Pand J

FILE No. 60/1902-03. Office

DIARY No. 5 27 Sept 1902

My dear Mr Seshiravadiengar,

The issue of proceedings though not objected to seems to be objectionable. At any rate, I think it is so felt by all

Dist^t Magistrates.

Of Course, it is absurd that a Dr Grounds should object to receive d.o. letters from Asst Secretaries.

Yours very sincerely

H. Montgomery

16

My Dear Mr Mayrinhac

Many thanks - There is much in what you say - Let us however before taking further orders, find out what the Canadian Government is doing in - Col Denison D.O. is much to strongly worded - I cannot approve of his language Personalities apart the Election is over & the 2nd of January is settled & the Proceedings [illegible] Circular - X

Yours sincerely
C Alexandre

29/9/02

17

(8)

SECTION Paid 9
FILE No. 60/1902-03
SERIAL No. 6

My dear Colonel Benson

Your D.O. of the 26th inst
re: Issue of "Proceedings"
to District Magistrates by the
Inspector General of Forests.
I will ask Mr. Nicholson to ascertain
and let me know, for the
information of Govt., what
the Madras procedure
in the matter is?

Yours sincerely

30/9

29/9

Subject to Govt's approval.
D.O. Letter on 30/9/02
HB.

OFFICE OF INSPECTOR GENERAL OF PRISONS,

SECTION

Ootacamund, 9 October 1902.

FILE No. 60/1902-03

SERIAL No. 7

Dear Sir,

In reply to your D.O. of the

I first I write to say that in the practice in this Presidency issue are direct communications to District Magistrates in letter form when however Dist Magistrates are only indirectly concerned in the subject matter of any order or Proceedings issuing from this Office, a copy of such order or Proceedings is furnished to them under an endorsement. In short Proceedings - as such - are never issued to District Magistrates.

Yours sincerely,

William O'Hara

Lt Col Benson, IMS
Dy. of Prs. Mysore

(9)

From

Lt.-Colonel Percy.H.Benson M.B., I.M.S.,
Inspector General of Prisons in Mysore,
Bangalore.

To

H.V.Nanjundayya Esqr: M.A. M.L.
Secretary to the Government of Mysore,
General and Revenue Departments, Bangalore.

No. 1061 J Enc:1.

Dated 28th October 1902.
29th

SECTION Para 9
FILE No. 60/1902-03.
SER'AL No. 8

Sir,

Adverting to your D.O. of the ~~30th September 1902~~ re: issue of "Proceedings" to District Magistrates by the Inspector General of Prisons and requesting me to ascertain and let you know for the information of Government what the Madras practice in the matter is, I have the honor to forward in original a D.O. dated 9th Instant from the Inspector General of Prisons, Madras Presidency, for the information of Government and obliging return when no longer required.

I have the honor to be,

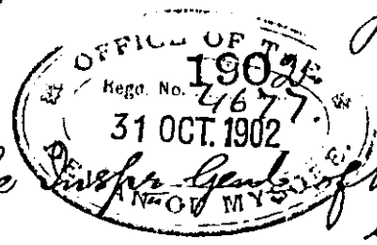
Sir,

Your most obedient servant,

Lt.-Colonel I.M.S.
Inspector General of Prisons.

T.C.G.

20 J. 557



From The Insp^r Gen^l of Prisons in Mysore.

To The Secy: to the Govt of Mysore
Gen^l & Rev^e Departments.
Bangalore.

Dated 28th October 1902.

Despatched 29th

Received

General No. 1061
No. T

Enclosure No. 1.

Forwards in original G.O. dy. 9th Instt from the Insp^r Gen^l of Prisons, Madras Presidency re: issue of "Proceedings" to District Magistrates, by the Insp^r Gen^l of Prisons in Mysore.

Secl
Jo. 11 ~

MGCPB—3-3-01—50 reams.

24 10

Order No. 849/T687 of 15.11.02

SECTION Para 9
FILE No. 60/Pris-03.
SERIAL No. 9

All direct communications from the Inspector General of Prisons to District Magistrates should be in letter form. When, however, District Magistrates are only indirectly concerned in the subject-matter of any order or Proceedings issuing from the office of the Inspector General of Prisons, a copy of such order or proceedings may be furnished to them under an Endorsement. Proceedings as such should not be issued to District Magistrates by the Inspector Gener

General of Prisons.

2nd Crisader] Print 13/11

Secretary

To

The I.G. of Prisons in Mysore

" Dr. Magistrates.

8136
7487
12.XI.02

Recd. 14-11-02

Typed.